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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/568,592

02/17/2006

Richard M. Bloomfield

11073-0002US

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CLARK & BRODY

1090 VERMONT AVENUE, NW

SUITE 250

WASHINGTON, DC 20005

EXAMINER

BROWN, VERNAL U

ART UNIT

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/568,592	<b>Applicant(s)</b> BLOOMFIELD, RICHARD M.	
	<b>Examiner</b> VERNAL U. BROWN	<b>Art Unit</b> 2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 17 February 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-35 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

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### **DETAILED ACTION**

The application of Richard Bloomfield for Remote Keyless Entry Device with Integrated Accessible Memory Storage filed 2/17/06 has been examined. Claims 1-35 are pending.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-2, 8, 16-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Michmerhuizen et al. US Patent Application Publication 20060273878.

Regarding claim 1, 16-17, Michmerhuizen et al. teaches a remote entry device comprising:

a remote entry component within a housing and include a transmitter to transmit a signal (paragraph 013);

a memory storage component within the housing and the memory component include a flash drive coupled to the memory and an interface to allow user access to the flash drive (paragraph 023);

Regarding claim 2, Michmerhuizen et al. teaches the interface allows access via radio frequency signal (paragraph 023).

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Regarding claim 8, Michmerhuizen et al. teaches the remote device includes a MP3 player (col. 3 lines 6-12).

Claims 29-35 are rejected under 35 U.S.C. 102(e) as being anticipated by Mackjust et al. US Patent 7248150.

Regarding claims 29-35, Mackjust et al. teaches a keyless entry system comprising:  
a receiver to facilitate the performing of an action at the vehicle and a remote entry device having a transmitter to transmit a signal to the receiver wherein the signal corresponds to the action (col. 8 line 57-col. 9 line 3);

a memory storage component within the remote entry device that stores data and is accessible by a user via flash drive and an interface for the remote entry device to couple the memory storage component with another device (col. 12 lines 15-27).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3-5 and 12-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Michmerhuizen et al. US Patent Application Publication 20060273878 in view of Mackjust et al. US Patent 7248150.

Regarding claims 3-5 and 12-13, Michmerhuizen is silent on teaching the memory includes data for a preference setting for a user. Mackjust et al. in an analogous art teaches using

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a memory stick to transfer setup information to the remote control (col. 12 lines 15-27).

Mackjust et al. also teaches the memory device include a code for starting the vehicle (col. 11 lines 8-25). Mackjust et al. also teaches the use of a battery as the power source and charging the battery through a connector.

It would have been obvious to one of ordinary skill in the art to modify the system of Michmerhuizen et al as disclosed by Mackjust et al. because the flash memory stick is portable as is readily available for providing the configuration information to the remote control according to the user's preferences.

Claims 6-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Michmerhuizen et al. US Patent Application Publication 20060273878 in view of Examiner's Official Notice.

Regarding claims 6-7, Michmerhuizen et al. is silent on teaching the housing includes a designator to identify the memory storage component and the designator to identify the memory storage component. It is the examiner's position that designator to identify the memory storage component represents a marketing tool and the examiner takes official notice that this represents a conventional practice.

Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Michmerhuizen et al. US Patent Application Publication 20060273878 in view of Cheng et al. US Patent 6880054.

Regarding claim 9, Michmerhuizen et al. is silent on teaching the memory comprises a password function to deny access to at least one file stored in the memory. Cheng et al. in an analogous art teaches a memory comprising password function to deny access to at least one file stored in the memory (col. 2 lines 32-50).

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It would have been obvious to one of ordinary skill in the art to modify the system of Michmerhuizen et al. as disclosed by Cheng et al. because a memory which includes a password function to deny access to at least one file stored in the memory increases the security system by preventing unauthorized access to the memory.

Claim 10-11, 14-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Michmerhuizen et al. US Patent Application Publication 20060273878 in view of Krishnamachari et al. US Patent 7057934.

Regarding claims 10-11, 14-15, Michmerhuizen et al. is silent on teaching the memory includes contact information. Krishnamachari et al. in an analogous art teaches a memory that includes contact information of a person and teaches the storing of other pertinent information (col. 7 lines 40-55). It is therefore the examiner's position that it is store the owner's manual in the memory device because the memory device is used to store various information.

It would have been obvious to one of ordinary skill in the art to modify the system of Michmerhuizen et al. as disclosed by Krishnamachari et al. because contact information allows the memory device to return to its owner if it is lost or stolen.0

Claims 18-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mackjust et al. US Patent 7248150 and further in view of Kao US Patent 6792487.

Regarding claims 18-23, Mackjust et al. teaches a remote entry device comprising:  
a transmitter for transmitting a signal for an action to occur and the transmitter is enclosed in a housing and draws power from a battery (col. 4 lines 38-46, col. 20 lines 41-54). Mackjust et al. teaches a memory storage component having a memory accessible through an interface (col. 12 lines 15-27) but is silent on teaching a cover attaching to the housing and a

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sliding part on the housing that detaches the cover from the housing. Kao in an analogous art teaches a multifunction device having a cover attaching to the housing, a sliding part on the housing that detaches the cover from the housing (col. 2 lines 12-50). The examiners take official notice that the USB interface is widely used to charge the battery of a mobile device. Mackjust et al. also teaches using a memory stick to transfer setup information to the remote control (col. 12 lines 15-27). Mackjust et al. also teaches the memory device include a code for starting the vehicle (col. 11 lines 8-25).

It would have been obvious to one of ordinary skill in the art to modify the system of Mackjust et al. as disclosed by Kao because this allows for the easy attachment of memory device to the remote entry device and further extending the functionality of the remote control device.

Claims 24-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mackjust et al. US Patent 7248150 and further in view of Kao US Patent 6792487 and further in view of Cheng et al. US Patent 6880054.

Regarding claims 24-26, Mackjust et al. is silent on teaching the memory comprises a password function to deny access to at least one file stored in the memory. Cheng et al. in an analogous art teaches a memory comprising password function to deny access to at least one file stored in the memory (col. 2 lines 32-50).

It would have been obvious to one of ordinary skill in the art to modify the system of Mackjust et al. as disclosed by Cheng et al. because a memory which includes a password function to deny access to at least one file stored in the memory increases the security system by preventing unauthorized access to the memory.

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. Claims 27-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mackjust et al. US Patent 7248150 and further in view of Kao US Patent 6792487 and further in view of Koh US Patent 6757783.

Regarding claims 27-28, Mackjust et al. teaches a remote entry device comprising:  
a transmitter for transmitting a signal for an action to occur and the transmitter is enclosed in a housing and draws power from a battery (col. 4 lines 38-46, col. 20 lines 41-54). Mackjust et al. teaches a memory storage component having a memory accessible through an interface (col. 12 lines 15-27) but is silent on teaching a cover attaching to the housing and a sliding part on the housing that detaches the cover from the housing. Kao in an analogous art teaches a multifunction device having a cover attaching to the housing, a sliding part on the housing that detaches the cover from the housing (col. 2 lines 12-50). The reference of Koh teaches the use of a LED to indicate the operating status of a flash drive (col. 5 lines 50-62).

It would have been obvious to one of ordinary skill in the art to modify the system of Mackjust et al. as disclosed by Kao because this allows for the easy attachment of memory device to the remote entry device and further extending the functionality of the remote control device.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to VERNAL U. BROWN whose telephone number is (571)272-3060. The examiner can normally be reached on 8:30-5:00 M-F.



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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Zimmerman can be reached on 571-272-3059. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Vernal U Brown/  
Examiner, Art Unit 2612  
Monday, June 01, 2009